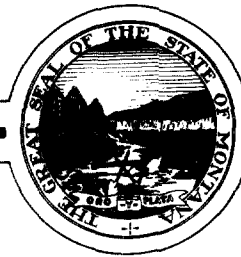


DEPARTMENT OF ADMINISTRATION  
INFORMATION SERVICES DIVISION



MARC RACICOT  
GOVERNOR

ROOM 229, MITCHELL BUILDING  
125 N. ROBERTS

STATE OF MONTANA

(406) 444-2700  
FAX (406) 444-2701

PO BOX 200113  
HELENA, MONTANA 59620-0113

DOCKET FILE COPY ORIGINAL

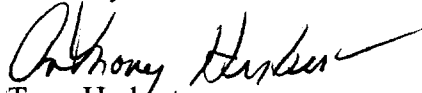
July 1, 1998

Office of the Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Office of the Secretary:

Please accept the enclosed comment (original plus 4 copies) referencing the *Petition of the National Public Safety Telecommunications Council for Further Rulemaking To Allocate Spectrum in the 138-144 MHz Band to Public Safety*, RM-9274.

Sincerely,

  
Tony Herbert  
Administrator

Enc: *Comments of the State of Montana* original and 4 copies

No. of Copies rec'd  
List A B C D E

0+4  
WT

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition of the National Public Safety	)	
Telecommunications Council for	)	RM-9274
Further Rulemaking To Allocate	)	
Spectrum in the 138-144 MHZ Band	)	
to Public Safety	)	

**Comments of  
The State of Montana**

**Discussion**

Not unlike other states, the state of Montana is preparing for the impacts of a dramatically changing public safety communications environment. Montana has embarked on a three phase project to move public safety communications into the future. Phase 1 of the Montana Project began in 1995 to address impending technical, regulatory, and operational changes facing the State. Phase 1 was completed in May 1997 with the creation of a strategic plan and template (*The Montana Public Safety Communications System Concept Design*). Montana is one-fourth into Phase 2 of the project (*Public Safety Communications Shared System Design*). Phase 3 of the Montana Project includes the physical implementation of the planned state-wide public safety communications system and is estimated in its totality to cost \$200,000,000. The system will provide for all Montana state, local and federal government public safety agencies, including private public-safety-services providers.

Currently, hundreds of individual Montana public safety agencies operate within limited wideband VHF spectrum. The vast majority of public safety systems in Montana operate in the VHF band. VHF is identified as a critical component of any future state-wide shared system for Montana. The *Montana Public Safety Communications System Concept Design* from Phase 1 determined that creating a state-wide communications system for Montana is best suited by leveraging Montana's current predominate use of VHF. The alternative of implementing such a system in the 800 MHZ band requires three times as much investment as implementing a system in

VHF. This cost would overwhelm our ability to accomplish such a task.

Along with cost, the ability to migrate from current conventional operations in VHF to new technology in the same band greatly enhances the potential for success as well as provides for interoperability between existing systems and future systems.

The Commission has enhanced the flexibility to pursue advanced systems in the high band VHF spectrum through the re-farming efforts, authorization of trunking, and the consolidation of the Public Land Mobile Radio services. Re-farming is a start, but to effectively implement changes, blocks of relatively open and available frequencies must be obtained. The Commission has authorized the implementation of the newly identified narrow band frequencies; however, we find that the frequencies are unassignable as long as existing conventional wide band systems are present due to adjacent channel interference. In order to properly coordinate wide area or state-wide shared resource narrow band communications systems, the existing wide band frequencies need to be cleared.

In an environment where voluntary participation is mandatory, the arbitrary abandonment of existing frequency use is untenable without providing a clear system in which to move the incumbents. One solution would be to obtain new spectrum that is either unused or minimally used in this region. The term used to identify this spectrum as "green space" and it is essential to enabling the possibilities of refarming.

Large area state-wide or regional shared systems are becoming the only method by which local public safety agencies can justify the expense to move to the new capabilities provide by new technology. Implementing such systems is a challenge for communications systems planners, requiring as much flexibility as possible to match the needs of their specific area's requirements.

### **Conclusion**

Due to the necessary VHF applications to accommodate our vast and rugged 147,000 square miles, Montana supports the National Public Safety Telecommunications Council petition

to the Commission to allocate additional spectrum in the 138-144 MHZ band for public safety use as quickly as possible or to move this "Further Notice of Proposed Rulemaking" in Docket Number 96-86 to a new proceeding.

VHF spectrum availability is critical to many agencies across the U.S. who have a need to continue operating in VHF or migrate to VHF as a single agency operation or as part of a consolidated effort.

Respectfully Submitted,

State of Montana

A handwritten signature in black ink, appearing to read "Anthony J. Herbert", written in a cursive style.

Tony Herbert, Administrator  
Information Services Division  
State of Montana  
Rm 229, Sam W. Mitchell Bldg.  
Helena, MT 59620-0113

(406)444-2700